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**OFFICE OF PETITIONS**

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In re Application of  
Lydecker, et al. :  
Application No. 08/850,996 : DECISION ON  
Filed: May 5, 1997 : PETITION  
Attorney Docket No. 3464/3 : :

This is in response to the renewed petition to withdraw the holding of abandonment under 37 CFR 1.181, filed October 9, 2007.

The petition under 37 CFR 1.181 is **GRANTED**.

The above-identified application became abandoned for failure to timely file a reply to the Notice to Corrected Application Papers mailed June 27, 2007. This Notice set a non-extendable period for reply of thirty (30) days for applicant to submit a declaration bearing the signature of inventor Thagard. No declaration having been received, the application became abandoned on July 27, 2007. The Office mailed a Notice of Abandonment on August 15, 2007. Applicants filed a petition to withdraw the holding of abandonment on August 30, 2007, arguing that they timely filed a declaration. In support thereof, applicants included a proper USPTO date stamped, itemized receipt, establishing that they filed a declaration on July 12, 2007. However, the petition was dismissed in a decision mailed on September 28, 2007. The decision pointed out that

applicants did not supply the Office with a copy of the declaration filed on July 12, 2007.

With the instant petition, applicants have submitted a copy of the declaration, bearing a signature of inventor Thagard.

The matter is being forwarded to the Office of Patent Publication for processing into a patent.

Telephone inquiries related to this decision should be directed to the undersigned at 571-272-3207.

*Cliff Congo*

Cliff Congo  
Petitions Attorney  
Office of Petitions